ಶ್ರೀ. ಎಸ್. ಪೈ. ಪಾಟೀಲ್.— ತಾವು ಉತ್ತರ ಕರ್ನಾಟಕದಲ್ಲಿ ಎಲ್ಲಾ ಬಸ್ಸುಗಳೂ ಉತ್ತಮವಾಗಿವೆ ಎಂದು ಹೇಳಿದಿರಿ. ಆದರೆ ಎಷ್ಟೋ ಬಸ್ಸುಗಳು ಹಳೆಯು ವಾಗಿದ್ದು ದಾರಿ ಮಧ್ಯದಲ್ಲೇ ನಿಂತು ಜನರಿಗೆ ತ್ರಾಸ ಆಗುವುದು ಗೊತ್ತೇ?

ಶ್ರೀ ಎಚ್. ಎಸ್. ರುದ್ರಪ್ಪ.—ಮೊನ್ನೆತಾನೆ ಒಳಾ ಡಳಿತ ನಡೆವರು ಕೆಲವು ಬಸ್ಸುಗಳು ಬಹಳ ಹಳೆಯದಾ ಗಿವೆ, ಅವಕ್ಕೆ ಬದಲಾಗಿ ಹೊಸದು ಕೊಡುತ್ತೇವೆಂದು ಹೇಳಿದರು.

Sri P. G. SIDHANTI.—Are there any by-lane routes?

Sri H. S. RUDRAPPA.—I meant small routes.

Sri P. G. SIDHANTI.—Is it not a fact that the small routes are also under the State control?

Sri H. S. RUDRAPPA.—Yes, but there are also private buses running in small routes the distance of which is not much.

Sri F. H. MOHSIN.—Will the Government be able to give total mileage on which State buses are plying?

Sri H. S. RUDRAPPA.—That information is not available.

Sri G. B. SHANKAR RAO.—Is there any provision made this year for the purchase of new buses?

Sri H. S. RUDRAPPA.—Yes, certainly.

Sri G. B. SHANKAR RAO.—For how many buses?

Sri H. S. RUDRAPPA.—Fifty buses are going to be purchased and placed at the disposal of the Road Transport Authority.

ಶ್ರೀ ಟಿ. ಹನುಮಯ್ಯ.—ಬೆಂಗಳೂರಿನಿಂದ ಚಿತ್ರ ದುರ್ಗಕ್ಕೆ ಹೋಗುವ ಜೋಗೀವಾಟ್ ಎಕ್ಸ್‌ಪ್ರೆಸ್ಸು ರಾತ್ರಿಹೊತ್ತು ದಾರಿ ಮಧ್ಯದಲ್ಲೇ ನಿಂತುಹೋಗು ತ್ತದೆ ಎಂಬುದು ಗೊತ್ತೆ?

ಶ್ರೀ ಎಚ್. ಎಸ್. ರುದ್ರಪ್ಪ.—ಗೊತ್ತಿಲ್ಲ. ತಾವೇ ಹೇಳಿದ್ದೀರಿ.

ಶ್ರೀ ಟಿ. ಹನುಮಯ್ಯ.—ಆ ವಿಷಯದಲ್ಲಿ ಏನು ಏರ್ಪಾಡು ಮಾಡಿದ್ದೀರಿ?

ಶ್ರೀ ಎಚ್. ಎಸ್. ರುದ್ರಪ್ಪ.—ಈಗ ಮತ್ತೆ ಹೇಳಿ ದ್ದೀರಲ್ಲಾ, ವಿಚಾರ ಮಾಡೋಣ.

Sri F. H. MOHSIN.—Out of these 50 buses to be purchased, how many will be made available to the North Karnatak for being plied there?

Sri H. S. RUDRAPPA.—We have not made any allotment as yet. We will place them at the disposal of the Transport Authority for being plied in those routes where there is absolute necessity.

———

[*Continued from page* 2480]

Recovery of Arrears of Taxes from the R.M.D.C.

Q.—999. Sri K. KENCHAPPA (Hiriyur).—

Will the Government be pleased to state:—

(*a*) the period for which the accounts of the R.M.D.C. Cross Words (Mysore) Private Limited were audited by the State Accounts Department and the reason for not auditing the accounts of the previous and subsequent periods;

(*b*) the amounts (actual or probable) that the Company will have to pay if recoveries on account of taxes are made as per remarks of the Auditors and on accounts subsequent to stay order issued by the Court mentioning the nature of security obtained by the court granting stay order for the recovery of the amount that may become due.

(*c*) whether there is any chance of recovery of the entire arrears of the tax taking into consideration the existing circumstances of the Company;

(*d*) the directives they have received from the Central Government in this respect?

A.—Sri T. MARIAPPA (Minister for Finance).—

(*a*) and (*b*) Answers to these questions cannot be given, as they are the basis of the claims by Government in respect of which coercive steps are being taken. In the suit by the R.M.D.C. in the District Court, they have *inter alia* prayed for an injunction restraining the State from recovering the dues. Hence the matters are *sub judice*.

(*c*) Question of recovery will arise only after the proceedings pending in Courts are disposed of.

(*d*) The directions are confidential and it is not in the public interest to disclose them.

Sri C. J. MUCKANNAPPA.—May I know the difficulties of the Government

in giving the information asked for in clause (*a*) ?

Sri T. MARIAPPA.—The difficulty is that the whole matter is *sub judice* and it would be very difficult to give any answer which is outside the scope of the proceedings that are pending in the court of law.

Sri G. VENKATAI GOWDA.—May I know the anticipated amount due by the R.M.D.C. to the Government ?

Sri T. MARIAPPA.—Even that matter is a matter for determination by the court.

Sri V. SRINIVAS SHETTY.—On a point of order, Sir. This question has come up in this House several times and whenever there are any proceedings pending in any court of law, the Government have consistently refused to answer such questions. This is one of the questions where we are told that something like Rs. 80 lakhs are due to the Government. Rule 25(p) of the Rules of Procedure and Conduct of Business says that 'it shall not ask for information on a matter which is under adjudication by a Court of Law having jurisdiction in any part of India'. This is practically a reproduction of what is in May's Parliamentary Practice. In fact, almost all the rules are repoduced from it. I may refer to the latest edition of it and on page 359 it is stated that we cannot pass reflections on the decisions of a court of law or say anything on a matter which is likely to prejudice a case which is under trial etc. So, it is not enough if any matter is pending in a court of law, but the revelations to be made by the Government must be such as will prejudice the matter pending in a court of law. So, the Government cannot go on evading answering questions on the plea that a certain matter is pending in a court of law. The question is a simple one and it is whether the Government will be pleased to state the period for which the accounts of the R.M D.C. Cross Words (Mysore) Private Limited were audited by the State Accounts Department and the reason for not auditing the accounts of the previous and subsequent periods. I fail to understand how an answer to this question will prejudice any matter pending in a court of law.

Mr. DEPUTY SPEAKER.—The whole matter is in a court of law.

Sri V. SRINIVAS SHETTY.—I fail to understand how the revelation of the reasons for not auditing the accounts of the previous and subsequent periods will prejudice any matter pending in a court of law.

Sri T. MARIAPPA.—This question is coming up before the House in several ways. Any information furnished here might be used outside the House.

Sri V. SRINIVAS SHETTY.—The Government have one point of view and we on this side, have our own point of view. With regard to sub-question (*a*), there cannot be absolutely any reason for not revealing the innocuous things. As regards (*b*), according to the Government nobody is going to give a decision. I would like to say that this is a point of privilege as we are entitled to get answers to the questions tabled. We have certain rights and the Government cannot go on hiding things. With regard to (*c*) as to whether there is any chance of recovery of the entire arrears of the tax taking into consideration the existing circumstances of the Company, we want to know what are the assets of the gentleman, whether any of his properties have been transported outside the State, the nature of the directive received from the Central Government, etc. The Government have refused to reveal information as to in what stage the suit is pending, what is the contention of the other party, etc. This is a suit. . . .

Mr. DEPUTY SPEAKER.—You should not explain it.

Sri V. SRINIVAS SHETTY.—It is for the Chair to find out whether what I am saying is *sub judice* or not.

Mr. DEPUTY SPEAKER.—You should not go on speaking on this matter.

Sri V. SRINIVAS SHETTY.—The point is this, whether it is likely to prejudice the case which is under trial. I fail to understand as to how it is likely to prejudice. It is a suit. Suit is a public matter and there is nothing

(SRI V. SRINIVAS SHETTY)

wrong in saying that such and such a thing is pending and what the contentions of the other party are. This suit O.S.No. 109 of 54 in the District Court, Civil Station, is for collection of arrears of tax. In fact, I have got the proceedings of this House in this connection. The whole thing is revealed here. It is a public matter.

Sri T. MARIAPPA.—Then, it must give some satisfaction to the Hon'ble Member.

Sri V. SRINIVAS SHETTY.—No, it has not given. It is for the tax due, *i.e.*, Rs. 12, 12,000. In that suit. ...

Mr. DEPUTY SPEAKER.—What is your point of order?

Sri V. SRINIVAS SHETTY.—There cannot be anything *sub judice* in this particular aspect. The R.M.D.C. has filed a suit and that suit is pending. The Government have filed a statement. That suit is based on the decision of the Bombay High Court which was set aside by the Supreme Court.

Mr. DEPUTY SPEAKER.—You are making a speech.

Sri V. SRINIVAS SHETTY.—I am explaining as to how it will not prejudice the case.

Sri T. MARIAPPA.—Question hour should not be converted into a discussion of a subject. On this very question he can raise a half-an-hour discussion.

Sri V. SRINIVAS SHETTY.—One sentence more. That suit is that the whole Act is *ultra vires*, that it is not binding on him and that he is not liable to pay the tax. This lottery was run without obtaining licence. If we know these simple facts, who is going to be prejudiced? Why is the Government so sensitive? We are equally anxious to realise the whole amount. This gentleman of the R.M.D.C. has transported everything in Bangalore under the nose of the Government and the Government has kept quiet. It is a criminal negligence on the part of the Government.

Sri G. VENKATAI GOWDA.—In support of the contention raised by my friend I would like to state that we are not precluded from knowing from the Government as to what is the nature of the suit they have filed, what is the claim they have made for and what is the contention raised by the other party. We want to know the claim made by the Government.

Mr. DEPUTY SPEAKER.—Before giving a ruling, I want a clarification from the Government as to whether the properties are in the custody of the court.

Sri J. B. MALLARADHYA.—After the Hon'ble Minister makes a statement and before you give your decision, you must kindly give us an opportunity to say something in the matter.

Sri T. MARIAPPA.—I want my friends to observe the rules of procedure of this House. The Hon'ble Member cannot choose to discuss a matter during the question hour. I am really very sorry.

Sri J. B. MALLARADHYA.—Sir, we have raised a point of order that the Government cannot set up a plea that it is *sub judice*. Before a ruling is given to the effect that it is *sub judice*, we have a right to be heard. I am not trying to convert the question hour into a discussion.

Sri F. H. MOHSIN.—In that case we have also to be given a chance.

Sri T. MARIAPPA.—Now, the whole matter is before a court of law. Very recently, the party has gone to the court and he has also raised another question that the Act passed by this legislature is also *ultra vires*. That is also pending before the Court. Therefore, all these questions are connected and interconnected. I beg of this House not to force us to give any information which is likely to prejudice the issue. All of us are interested in recovering the dues from this gentleman.

He is contesting the very basis. As my Hon'ble friend, Sri Srinivas Setty said, he conducted the competitions even when the licence was refused, without any licence, he conducted and the competition. He has also contested the validity of the Ordinance passed and also the law validating the Ordinance. Therefore, delicate questions of law are involved. He is contesting the very right of this Government and this Legislature to recover the dues. I only submit that Government have

been taking all possible steps to see that as much of the dues as possible consistent with the powers at our disposal is recovered. This question comes up in several forms. Any slight mistake on our part and even a slight slip of the tongue will be made use of. Last time also, all the questions were over-ruled because it was *sub judice*. This will come up very early. One case is before our High Court and the other isbefore the District Judge. It is better that thi question is postponed, I beg of this House. You can raise the whole question later. But I must refute regarding the amount. The amount involved is not 80·lakhs. Somehow they want to drag me to make some disclosure. Even that quantum is being contested.

Mr. DEPUTY SPEAKER.—Whether the matter is *sub judice* or not, it is for the Speaker to decide. When the Speaker is in the Chair he may hear the members. After hearing the Hon'ble Members and the Hon'ble Minister in the matter, I come to the conclusion that the matter is *sub judice*. No supplementaries are therefore permitted.

———

Estimated Revenue from Taxes in the New State.

Q.—2117. Sri G. ANNA RAO (Afzalpur).—

Will the Government be pleased to state:—

(*a*) the total estimated revenue from direct and indirect taxes respectively in the New State during 1957-58;

(*b*) the total gross revenue from all taxes;

(*c*) the percentage of direct and indirect taxation of the total revenue?

A.—Sri T. MARIAPPA (Minister for Finance).—

(*a*) Direct Tax	...	1029.83 lakhs
Indirect Tax	...	1002.08 lakhs
(*b*) 2031.91 lakhs.		
(*c*) Direct Tax	...	27.7
Indirect Tax	...	26.9

Note.—The revenue is the net revenue after deducting working expenses of Government Industrial concerns.

Sri G. ANNA RAO.—May I know the various taxes included in Direct and Indirect taxes?

Sri T. MARIAPPA.—Taxes on income—that is called shared tax. *i.e.*, the State has a share in it. Land revenue, Estate duties, Stamp duties, Registration—these are direct taxes, which people are called upon to pay. State Excise duties, Taxes on vehicles, other taxes on commodities, Union Excise duties—they are called shared duties—these are called Indirect taxes.

Sri G. ANNA RAO.—May I know the *per capita* incidence of both these taxes.

Sri T. MARIAPPA.—It is 26·9 per cent.

Sri G. ANNA RAO.—No, Sir. I want to know the *per capita* incidence of indirect taxes on the people.

Sri J. B. MALLARADHYA.—As compared with other taxes.

Sri T. MARIAPPA.—Sir, I have got only the percentage worked out. I want notice to answer that question.

Sri G. ANNA RAO.—May I know the percentage of tax revenue to non-tax revenue?

Sri T. MARIAPPA.—Both of them are given.

Sri G. ANNA RAO.—My question is what is the percentage of non-tax revenue to tax revenue?

Sri T. MARIAPPA.—It is given. Direct tax revenue is 1029 and indirect tax revenue is 1002 lakhs.

Sri G. ANNA RAO.—It is not direct or indirect taxes that I am asking. I am asking about non-tax revenues as compared to tax revenues.

Sri T. MARIAPPA.—It is the same thing. Please listen to me. Direct tax revenue is 1029 and indirect tax revenue is 1002.

Sri G. ANNA RAO.—Are there no non-tax revenues excluding those?

Sri T. MARIAPPA.—Even that figure is not available in my file. Figures have not been worked out. I am very sorry. I ought to have thought of such questions and got the figures. So far as Mysore is concerned, we have got non-tax revenue and we have got it in the form of industries revenue.